IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 715 of 2007

DATED: 19.1.2007

Between:

G.Deepak petitioner

And

The General Manager,
South Central Railways,
Secunderabad and others Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 715 OF 2007

ORAL ORDER:

This writ petition is filed questioning proceedings dated 15-11-2006 dismissing the petitioner from service as illegal and arbitrary.

The petitioner herein was appointed as constable in Railway Protection Force and allotted to Hyderabad division of South Central Railways. While so, he was issued with a show cause notice dated 19.9.05 alleging that he has submitted a forged/fake ST caste certificate. The petitioner submitted his explanation on 5.10.06. Thereafter, by impugned proceedings dated 15.11.2006 the petitioner was dismissed from service. Hence, the present writ petition.

The learned Standing Counsel for respondents submitted that as against the order of dismissal from service a remedy of appeal is provided under Rule 212 of the Railway Protection Force Rules, 1987 to the Chief Security Commissioner-second respondent herein and without availing the said remedy, the petitioner has straightaway approached this Court and the writ petition is not maintainable.

Heard the learned counsel for petitioner and learned Standing Counsel for respondents.

Admittedly a remedy of appeal is provided against the impugned order of dismissal dated 15.11.2006 and without availing the same the present writ petition is filed. In the circumstances, without expressing any opinion, the petitioner is directed to submit an appeal to the second respondent within a period of four weeks from the date of

receipt of copy of this order. On filing such an appeal, the same shall be considered in accordance with law, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

_____

N.V.RAMANA,J

DATE: 19.1.2007
TVK

-
-
-

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 715 of 2007

DATED: 19.1.2007